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## FACSIMILE COVER SHEET

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**Date:** 20 September 2004

**To:** MAIL STOP AF  
Examiner Lauren Q. Wells  
US Patent and Trademark Office  
Fax: 703-872-9306

**Subject:** USSN 09/582,119  
Our Ref.: Beiersdorf 621.1-HCL/ 100718-177

**From:** Howard C. Lee

**Comments:** Notice of Appeal; Two Months Extension of Time

If you have any questions or need further information, please contact us.

You should receive 4 pages including this cover sheet.

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PTO/SB/31(06-03)

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<b>NOTICE OF APPEAL FROM THE EXAMINER TO THE BOARD OF PATENT APPEALS AND INTERFERENCES</b>		Docket Number (Optional) <b>Beiersdorf 621/ 100718-177</b>						
<b>CERTIFICATE OF FACSIMILE TRANSMISSION</b>								
I hereby certify that this correspondence is being transmitted via facsimile to the United States Patent and Trademark Office on the 20 <sup>th</sup> day of September 2004.								
<u>Agata Glinska</u> Agata Glinska								
<b>In re Application of Benner et al.</b> <table border="1"> <tr> <td>Application Number <b>09/582,119</b></td> <td>Filed <b>June 22, 2000</b></td> </tr> <tr> <td colspan="2">For <b>Cosmetic or pharmaceutical preparations having a reduced feeling of stickiness...</b></td> </tr> <tr> <td>Art Unit <b>1617</b></td> <td>Examiner <b>Lauren Q. Wells</b></td> </tr> </table>			Application Number <b>09/582,119</b>	Filed <b>June 22, 2000</b>	For <b>Cosmetic or pharmaceutical preparations having a reduced feeling of stickiness...</b>		Art Unit <b>1617</b>	Examiner <b>Lauren Q. Wells</b>
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For <b>Cosmetic or pharmaceutical preparations having a reduced feeling of stickiness...</b>								
Art Unit <b>1617</b>	Examiner <b>Lauren Q. Wells</b>							

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the last decision of the examiner dated April 10, 2004 finally rejecting claims 15 -22.

The fee for this Notice of Appeal is (37 CFR 1.17(b)) \$ 330.00

- Applicant claims small entity status. See 37 CFR 1.26. Therefore, the fee amount shown above is reduced by half, and the resulting fee is : \$.
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Director has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Director is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account Number 14-1263.
- A petition for an extension of time under 37 CFR 1.36(a) (PTO/SB/22) is enclosed.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

I am the

- applicant/inventor.
- assignee of record of the entire interest. See 37 CFR 3.71. Statement under 37 CFR 3.73(b) is enclosed.  
(Form PTO/SB/96).
- attorney or agent of record.  
Registration \_\_\_\_\_
- attorney or agent under 37 CFR 1.34(a).  
Registration number if acting under 37 CFR 1.34(a) 48,104

September 20, 2004  
Date

Howard C. Lee  
Signature

(212) 808-0700  
Telephone Number

Howard C. Lee  
Typed or printed name

NOTE: Signatures of all the inventors or assignees of record of the entire interest or their representative(s) are required. Submit multiple forms if more than one signature is required, see below.

- Total of \_\_\_\_\_ forms are submitted.

This collection of information is required by 37 CFR 1.6. This information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the needs of the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450 Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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